

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re:	:	Bankruptcy No. 07-25364-JAD
Robert J. Napierkowski, Jr.,	:	Chapter 13
Debtor	:	
	:	
Robert J. Napierkowski, Jr.,	:	Related to Document No. 93
Movant	:	
	:	
v.	:	Hearing Date and Time:
	:	
Irwin Home Equity,	:	
Respondent	:	
	:	
And	:	
	:	
Ronda J. Winnecour, Esquire	:	
Chapter 13 Trustee,	:	
Additional Respondent	:	

LOSS MITIGATION ORDER

A *Notice of Request For Loss Mitigation* was filed by the Debtor on October 16, 2012. The Parties have had notice and an opportunity to object and the Court has reviewed any objections filed thereto. Therefore,

AND NOW, this 1st day of November, 2012, it is hereby **ORDERED** that:

(1) The following parties are directed to participate in Loss Mitigation and are bound by the Court's *Loss Mitigation Program and Procedures* (LMP).

Debtor: Robert J. Napierkowski, Jr.

Creditor: Irwin Home Equity

(2) *Within fourteen (14) days* after the issuance of the *Loss Mitigation Order*, the Creditor shall **register on the Portal** and make available all of its initial loss mitigation requirements ("Creditor's Initial Package") on the Portal (as defined in the LMP).

(3) *Within thirty-five (35) days* after the issuance of the *Loss Mitigation Order*, the Debtor shall upload and submit to Creditor a completed **Creditor's Initial Package** through the Portal.

(4) *Within ten (10) business days of the borrower's submission*, through the Portal, Creditor shall acknowledge receipt of same and designate the single point of contact for Debtor's

review.

(5) *Within 60 days from the entry of this Order*, the Debtor shall file and serve upon all Interested Parties the *Loss Mitigation Status Report*, LMP Form 4.

(6) The Loss Mitigation process shall terminate on 1-30-13 (90 days from the date of the entry of this *Order*), unless extended as set forth in Section IX.B. of the LMP.

(7) The Debtor shall make adequate protection payments to the Creditor during the Loss Mitigation Period in the amount set forth in the *Notice and Request for Loss Mitigation*. See Sections V.A.1 and VII. B. of the LMP.

(8) If a relief from stay motion pursuant to *Section 362(d)* is pending upon entry of this *Order* or if such a motion is filed during the loss mitigation period, the Court may condition the stay upon compliance by the Debtor with the fulfillment of the Debtor's obligations under the *Loss Mitigation Order*. If the Debtor fails to comply with the Loss Mitigation process and this *Order*, the Creditor may apply to terminate the *Order* as specified in Section IX.C of the LMP and seek relief from the stay.

(9) *Within 14 days of termination* of the loss mitigation period, the Debtor must file with the Court and serve all Interested Parties, the *Loss Mitigation Final Report* as set forth in Sections VI.A. 6 and VII.C.2 of the LMP.



11.1.2012

Jeffery A. Deller,
United States Bankruptcy Judge

FILED

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CLERK, U.S. BANKRUPTCY COURT
WEST. DIST. OF PENNSYLVANIA